

Concord sewer dispute resolved

■ Lake County officials, developer settle lawsuit

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A sewer line built to benefit one Concord Township neighborhood will be partially paid for by homeowners who live outside of that neighborhood, following the settlement of a lawsuit.

To provide sewers to his Summerwood subdivision located south of Girdled Road in Concord Township, Tom Riebe's 20th Century Construction Co. built a sewer line from a terminus in the Noble Ridge subdivision about half a mile away.

He built the sewer line through portions of the Cali Woods and Keystone subdivi-

sions, where existing homes have septic systems and do not require sewers.

However, Ohio law allows anyone who builds a sewer line to recoup the cost of that line from those who could benefit from it.

Because the sewer line is in place, homes in Cali Woods and Keystone with septic systems, but located adjacent to the sewer, could eventually tie in to the sewer line.

The Lake County Utilities Department and county commissioners objected to the assessments that Riebe wanted placed on the Cali Woods and Keystone parcels adjacent to the new sewer. They said that although the sewer was available to them, they did not need it because their homes had septic systems.

Riebe filed a lawsuit against the county

to recoup the costs, claiming that those parcels now had the benefit of the sewer and the law allows him to be reimbursed for the cost of the sewer line.

In a public meeting with Concord residents in September, county commissioners and officials would not give exact figures, but indicated that if Riebe was successful, assessments could exceed \$30,000.

Sewer tap-in fees in Lake County are generally \$6,000 per household.

The case was assigned to Judge Joe Gibson's court and the parties have been in settlement negotiations for more than six months. The settlement recently was filed in Gibson's court, and the pending lawsuits dismissed.

According to court documents, two dozen specific parcels located in the Cali Woods and Keystone neighborhoods will

each be assessed \$23,583.88 should they ever tie in to the sanitary sewer. The assessment fee does not apply to all homes in the area.

While Riebe attempted to be reimbursed for the entire cost of the project, the settlement allows him to potentially recoup only a portion of those costs, about \$622,000.

The homes that have septic systems currently are not required to tie in to the sewers.

In September, Assistant Sanitary Engineer Randy Rothlesberger said that as long as a home's septic system is functioning, there is no requirement that homeowners tap into the sewer line.

If the law changes, and repairs or replacement of the septic system must occur, the 24 homeowners specified in the settlement could be required to tie in and pay the fee.